

## 47.104-2 Fixed-price contracts.

(a) *F.o.b. destination.* [49 U.S.C. 10721](#) and [1 3712](#) rates do not apply to shipments under fixed-price f.o.b. destination contracts (delivered price).

(b) *F.o.b. origin.* If it is advantageous to the Government, the contracting officer may occasionally require the contractor to prepay the freight charges to a specific destination. In such cases, the contractor shall use a commercial bill of lading and be reimbursed for the direct and actual transportation cost as a separate item in the invoice. The clause at [52.247-1](#), Commercial Bill of Lading Notations, will ensure that the Government in this type of arrangement obtains the benefit of [49 U.S.C. 10721](#) and [1 3712](#) rates.

**Parent topic:** [47.104 Government rate tenders under sections 10721 and 13712 of the Interstate Commerce Act \(49 U.S.C. 10721 and 13712\).](#)